

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:	:	Chapter 11
	:	
THE ROMAN CATHOLIC DIOCESE OF	:	Case No. 20-12345 (MG)
ROCKVILLE CENTRE, NEW YORK,	:	
	:	
Debtors.	:	
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THE OFFICIAL COMMITTEE OF UNSECURED	:	
CREDITORS,	:	
	:	
Plaintiff,	:	Adv. Pro. No. 23-01121 (MG)
	:	
v.	:	
	:	
CATHOLIC CEMETERIES OF THE ROMAN	:	
CATHOLIC DIOCESE OF ROCKVILLE CENTRE,	:	
INC., in Both Its Individual Capacity and as Trustee for	:	
the Diocese Of Rockville Centre Catholic Cemetery	:	
Permanent Maintenance Trust,	:	
	:	
Defendants.	:	
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**ORDER AND STIPULATION BETWEEN THE OFFICIAL COMMITTEE OF
UNSECURED CREDITORS AND CATHOLIC CEMETERIES OF THE ROMAN
CATHOLIC DIOCESE OF ROCKVILLE CENTRE, INC., IN BOTH ITS INDIVIDUAL
CAPACITY AND IN ITS CAPACITY AS THE TRUSTEE OF THE DIOCESE OF
ROCKVILLE CENTRE CATHOLIC CEMETERY PERMANENT MAINTENANCE
TRUST**

This Stipulation is entered into by and between of the Official Committee of Unsecured Creditors of The Roman Catholic Diocese of Rockville Centre, New York (the “Plaintiff” or “Committee”) and Catholic Cemeteries of the Roman Catholic Diocese of Rockville Centre, Inc. (“Catholic Cemeteries”), in both its individual capacity and as the sole trustee for The Diocese of Rockville Centre Catholic Cemetery Permanent Maintenance Trust (the “Defendant,” and together with the Plaintiff, the “Parties”).

RECITALS

WHEREAS, on October 1, 2020, The Roman Catholic Diocese of Rockville Centre, New York (the “Debtor”) commenced the above-captioned chapter 11 case by filing a voluntary petition for relief under chapter 11 of the title 11 of the United States Code, U.S.C. §§ 101-1532 (the “Bankruptcy Code”) in the United States Bankruptcy Court for the Southern District of New York (the “Court”).

WHEREAS, on May 26, 2023, the Plaintiff commenced the above-captioned adversary proceeding (the “Adversary Proceeding”) by filing the Complaint [Adv. Pro. Docket No. 1].

WHEREAS, on May 31, 2023, the Clerk of the Court issued a summons in the Adversary Proceeding [Adv. Pro. Docket No. 2], which set a June 30, 2023 deadline to respond to the Complaint and a pre-trial conference for July 18, 2023, at 11:00 a.m. (the “Pre-Trial Conference”).

WHEREAS, on June 29, 2023, Defendant filed its Answer to the Complaint [Adv. Pro. Docket No. 6].

WHEREAS, on March 27, 2023, the Committee filed the *Motion of the Official Committee of Unsecured Creditors to Dismiss the Chapter 11 Case* (the “Motion to Dismiss the Chapter 11 Case”) [Main Docket No. 1912].

WHEREAS, on July 10-11, 2023, the Court is scheduled to hold an evidentiary hearing (the “Hearing”) on the Motion to Dismiss the Chapter 11 Case.

WHEREAS, the Parties agree that it is in the best interests of the Parties and the Debtor’s estate adjourn the Pre-Trial Conference and postpone the conference pursuant to Rule 7026(f) of the Federal Rules of Bankruptcy Procedure (“FRBP”) and initial disclosures pursuant to FRBP 7026(a)(1), until after the Hearing.

NOW, THEREFORE, to promote efficiency, conserve judicial resources, and the resources of the Parties and the Debtor's estate,

IT IS THEREFORE STIPULATED AND AGREED:

1. The Pre-Trial Conference shall be adjourned from July 18, 2023 to September 12, 2023, at 10:00 a.m. The Pre-Trial Conference will be Hybrid.

2. The FRBP 26(f) conference shall take place at least 21 days prior to the Pre-Trial Conference. Initial disclosures pursuant to FRBP 7026(a)(1) shall be made within 14 days after the Pre-Trial Conference. The Parties shall not commence discovery until they have conferred pursuant to FRBP 7026(f). Unless expressly set forth herein, nothing in this Stipulation shall (a) relieve a Party of its obligations under the Federal Rules of Civil Procedure, the Federal Rules of Bankruptcy Procedure, the Local Rules, or applicable law regarding the production of documents or making of timely responses to discovery requests, or (b) be construed as a waiver of any Party's rights, obligations, or objections with respect to discovery requests.

3. The deadlines set forth herein cannot be changed other than by order of the Court or by mutual consent in writing (including by e-mail) of the Parties.

4. Unless expressly set forth herein, nothing in this Stipulation shall limit, restrict, or impair any defense, right, or argument of any Party.

5. The undersigned hereby represent and warrant that they have full authority to execute this Stipulation on behalf of the respective Parties and that the respective Parties have full knowledge of and have consented to this Stipulation.

6. The Court shall retain sole and exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation or enforcement of this Stipulation.

7. This Stipulation may be executed in counterparts and electronic signatures shall be deemed originals for the purpose of filing.

Dated: July 11, 2021

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By:

/s/ Kenneth Brown

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DATED: Mineola, New York
July 11, 2023

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*Counsel of the Catholic Cemeteries of the Roman
Catholic Diocese of Rockville Centre, Inc.*

IT IS SO ORDERED.

Dated: July 12, 2023

New York, New York

/s/ Martin Glenn

MARTIN GLENN

Chief United States Bankruptcy Judge